



Attorney Docket No. 47121-5018
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:)
Markku KESKINIVA et al.) Confirmation No.: 3523
Application No.: 10/563,821) Group Art Unit: 3721
Filed: January 6, 2006) Examiner: Lopez, Michelle
FOR: IMPACT DEVICE AND METHOD FOR)
GENERATING STRESS PULSE)
THEREIN)

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Mail Stop AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the election requirement dated August 8, 2007, Applicants elect the invention of Group I, directed to the embodiment disclosed in Fig. 2, with traverse. Applicants further elect the species of group a, directed to the embodiment of Figs. 6a-6b, with traverse. Claim 1 is believed to be generic, and Claims 1-33 are readable on the elected species.

Because the above-noted application is a national stage filing under 35 U.S.C. § 371, the provisions of unity of invention apply. Applicants note that during the international stage, a lack of unity rejection was not made. Therefore, such a determination should also be made in the national stage. In addition, the Examiner has applied the wrong standard in making the restriction. The proper standard is why there is no single general inventive concept between the groups. Applicants submit that the present invention does relate to a single inventive concept.

For example, Fig. 2 discloses a solution having one space (4) for pressure fluid and one channel (4a) for leading the pressure fluid to the impact device. Fig. 3 discloses a similar solution in which the spaces and the channels are doubled. Thus, Fig. 3 discloses the solution with two spaces (4) for pressure fluid and two channels (4a1, 4a2) for leading the pressure fluid from the spaces (4) to the impact device. Thus, the solution in Fig. 3 is only a further development of the solution of Fig. 2.

Similarly, with regard to Figs 6a-6b and Fig. 7, both solutions relate to a single inventive concept. In particular, Figs. 6a-6b disclose a solution in which the length of the channel from the pressure fluid space (4) to the impact device is changeable by using a cylinder (4b), which is moveable in its longitudinal direction in the pressure fluid space (4). Fig. 7 correspondingly discloses a solution in which there are two channels leading the pressure fluid from space (4) to the impact device and the length of the channels (4a1, 4a2) is variable with cylinders (4b1, 4b2) which are movable in relation to the pressure fluid space (4). Thus, the solution of Fig. 7 is only a further development of the solution in Figs. 6a-6b.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, it is respectfully requested that the undersigned be contacted at the number indicated below.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,

Date: November 8, 2007
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